



1644

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re the Application of:

VILEN et al.

Serial No.: 09/513,024

Filed: February 25, 2000

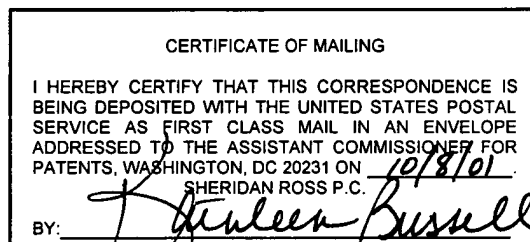
Atty. File No.: 2879-64

For: "PRODUCT AND METHOD FOR
TREATMENT OF CONDITIONS
ASSOCIATED WITH RECEPTOR-
DESENSITIZATION"

) Group Art Unit: 1644

) Examiner: Roark, J.

) RESPONSE



#17
10/30/01
(Signature)

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This Response is filed in response to an Office Action having a mailing date of August 8, 2001. This response is believed to be timely and therefore, no fees are enclosed. In the event that fees are due in connection with this response, please debit Deposit Account No. 19-1970.

Please reconsider the above-identified patent application as follows.

REMARKS

Rejection of Claims 1, 4-6, 10, 18 and 33 Under 35 U.S.C. § 102(b):

The Examiner has rejected Claims 1, 4-6, 10, 18 and 33 under 35 U.S.C. § 102(b), contending that these claims are anticipated by Nakamura et al. The Examiner has considered Applicants' previous arguments regarding this reference, but has not found them convincing. Specifically, the Examiner acknowledges that, at page 43, Nakamura et al. do conclude that the "current protocol of *in vitro* treatment with anti-CD79b mAB did not induce B lymphocyte unresponsiveness", but the Examiner contends that a different experiment following this experiment shows that anti-CD79b does indeed suppress an *in vitro* B cell response. The Examiner asserts that Nakamura et al., on pages 43-45, clearly consider the anti-CD79b antibody to be an effective